



PATENT
ATTORNEY DOCKET NO. DIVER1370-7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Short, et al. (amended) Art Unit: 1652
Serial No.: 09/866,379 Examiner: Unassigned
Filed: May 24, 2001
Title: RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF

Commissioner for Patents
Washington, D.C. 20231

-11-7A

PRELIMINARY AMENDMENT

Sir:

Prior to examination of the above-referenced application, please enter the following amendments:

IN THE SPECIFICATION

Please insert the following replacement paragraph [0047]:

Sub 2 --The invention also provides phytase encoding polynucleotides having a nucleotide sequence substantially identical to SEQ ID NO:7, and having a modified nucleotide sequence selected from nucleotide 390 is G; 391 is A; nucleotide 438 is T; 439 is G; 440 is G; 471 is C; 473 is T; 477 is T; 448 is G; 449 is T; 690 is G; 691 is A; 692 is G; 729 is T; 730 is A; 731 is T; 864 is T; 865 is G; 1017 is G, or any combination thereof. Further, the invention provides a

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on December 17, 2001, in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231

Karen LePari
Karen LePari